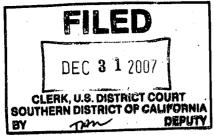
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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

200 MJ 9001

UNITED STATES OF AMERICA.

Plaintiff,

VS.

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Victor BARAJAS(1)

Adriana VAZQUEZ(2)

Defendants.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about December 30, 2007, within the Southern District of California, defendants Victor BARAJAS and Adriana VAZQUEZ did knowingly and intentionally import approximately 45.24 kilograms (99.80 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 31ST, DAY OF DECEMBER 2007.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

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Adriana VAZQUEZ

Victor BARAJAS and

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UNITED STATES OF AMERICA

STATEMENT OF FACTS

This statement of facts is based on the reports, documents, and notes furnished to US Immigration and Customs Enforcement Special Agent Nicole Yammine.

On December 30, 2007 at approximately 0739 hours, Victor BARAJAS and Adriana VAZQUEZ entered the United States at the Calexico, California, East Port of Entry. VAZQUEZ was the driver and BARAJAS was the passenger of a 1998 GMC Suburban Silverado, bearing California license plate 5DUW914. VAZQUEZ presented her Permanent Resident card and BARAJAS presented his United States birth certificate to Customs and Border Protection Officer (CBP) Blanchette. BARAJAS stated he has owned the vehicle for approximately three weeks. VAZQUEZ stated they were on their way to Wal-Mart, in Calexico, to do some shopping. CBP Officer Blanchette then referred the vehicle to vehicle secondary for further inspection.

In the vehicle secondary lot, CBP Officer Chong took a negative Customs declarations. CBP Canine Enforcement Officer (CEO) David Alba, and his canine Cindy, conduct a sweep of the vehicle. The canine alerted to the gas tank of the vehicle. CEO Alba notified CBP Officer Chong of the alert.

A subsequent inspection of the vehicle revealed 31 packages within the gas tank of the vehicle. CBP Officer Chong probed one of the packages, and a sample of a green leafy substance was obtained, which field tested positive for marijuana. The 31 packages had a combined net weight of approximately 45.24 kilograms (99.80 pounds).

BARAJAS and VAZQUEZ were placed under arrest and advised of their Constitutional Rights, which they acknowledged and waived. BARAJAS denied knowledge of the marijuana found within the vehicle, but towards the end of the interview when confronted with the inconsistencies during the interview, BARAJAS began crying and asking how much time he was going to receive. VAZQUEZ admitted knowledge of the narcotics found within the vehicle and stated they were going to be paid \$1,000.00 to smuggle the drug-laden vehicle into the United States. VAZQUEZ stated BARAJAS was aware of the narcotics, and stated BARAJAS set up the smuggling venture for them.